

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

_____)	
Creation of a Low Power)	
)	MM Docket No. 99-25
Radio Service)	
_____)	

FURTHER COMMENTS
of the
INTERCOLLEGIATE BROADCASTING SYSTEM

The Intercollegiate Broadcasting System, Inc. ("IBS"), hereby submits its further comments in response to the *Fifth Report and Order, Fourth Further Notice of Proposed Rulemaking and Fourth Order on Reconsideration* regarding the Creation of a Low Power Radio Service, MM Docket No. 99-25 ("Fifth Report and Order"). Since before its incorporation in Rhode Island as a nonprofit Section 501(c)(3) corporation in 1941, IBS has represented college and high school broadcasters. With a membership over a thousand, IBS is currently the largest national organization of such broadcasters, Internet originators, and associated entities.

In paragraph 48 of the *Fifth Report and Order*, The Commission indicates that there are two classes of LPFM service, LP100 and LP10, recognized in its rules. The Commission goes on to say that it has previously issued construction permits and licenses only for LP100 stations, and it requests comment on whether to eliminate the LP10 class of service from its rules.

IBS fully supports maintaining the LP10 class of service. In the *Report and Order, Creation of Low Power Radio Service*, 15 FCC Rcd 2205 (2000),

(“*Report and Order*”) the Commission stated, “Our goal in creating a new LPFM service is to create a class of radio stations designed to serve very localized communities or underrepresented groups within communities.” This goal goes to the very heart of Section 307(b) of the 1934 Act. With respect to LP10 Service, the *Report and Order* stated: “Such stations will produce a 60 dBu signal out to about 1.6 to 3.2 kilometers (1 to 2 miles) from the antenna site. Such stations will fit in some locations where LP100 stations cannot, due to separation requirements, and will provide groups with the opportunity to operate stations that reach smaller communities or groups with a common interest.”

In authorizing applications for new LPFM stations to be filed, the *Report and Order* states: “The Mass Media Bureau is delegated authority to issue an initial and subsequent public notices inviting the filing of applications for LP100 stations on dates consistent with this Order and processing requirements. After a period of time sufficient to process the initial LP100 applications, the Mass Media Bureau is authorized to open a filing window for applications for LP10 stations, which can also serve very localized community needs. We adopt this sequential process in order to provide the larger (100 watt) stations with their greater service areas the first opportunity to become established.”

The order continues, “Given that some LP10 stations can be sited where LP100 stations cannot, we expect that opportunities will remain for LP10 after the initial demand for LP100 stations has been accommodated.” IBS believes that if the Commission were to eliminate the LP10 Service at this point in time, it would both diminish the Commission’s objective in the creation of Low Power FM radio as well as the expectation of those entities that believed they would have the opportunity to apply these stations after the last of the LP100 filing windows closed.

In ongoing discussions with its members, IBS has become aware of numerous college and school systems, as well as community groups, for which the limited coverage area of an LP10 station would serve them adequately. These stations would provide adequate coverage of college and university campuses. It would also permit very localized programming for portions of larger communities. And for small communities, it could provide complete coverage of the community without occupying a larger portion of the FM spectrum.

Simply put, LP10 stations would provide the opportunity for more and different voices to be heard. And as the Commission has indicated, they would be used to provide service where an LP100 station (or LP250 station, discussed elsewhere in the *Fifth Report and Order*) could not be located.

Accordingly, IBS urges that LP10 service be retained and a filing window for such stations be opened prior to any filing window for LPFM stations operating with higher power.

Respectfully submitted,

INTERCOLLEGIATE BROADCASTING SYSTEM

by _____

William Malone

9117 Vendome Drive
Bethesda, Maryland 20817
(301) 365-1175
malone@ieee.org

May 7, 2012